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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/716,522	11/20/2003	Kazuhito Tanimoto	117823	6870

25944 7590 08/09/2007

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EXAMINER	
NGUYEN, ALLEN H	
ART UNIT	**PAPER NUMBER**
2625	

MAIL DATE	DELIVERY MODE
08/09/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/716,522	TANIMOTO ET AL.	
	Examiner	Art Unit	
	Allen H. Nguyen	2625	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *20 November 2003*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-17* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-17* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *20 November 2003* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☒ All b)☐ Some * c)☐ None of:

1.☒ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date *11/20/2003*.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Priority

1. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

Information Disclosure Statement

2. The information disclosure statement (IDS) submitted on 11/20/03 has been considered by the examiner.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

4. Claims 1, 7-15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lobiondo (US 5,287,194). and further in view of well known prior art.

Regarding claim 1, Lobiondo '194 discloses an image forming system comprising:

a plurality of devices (i.e., a plurality of workstations 30, col. 3, line 27, fig. 1) including at least an image forming device (i.e., printers 10 attached to a network; see col. 2, lines 23, fig. 1) which forms an image based on image data,

a control device (workstations 30, col. 3, line 27, fig. 1) which controls an operation of the image forming device based on an instruction input through a user interface (User Interface 40; see col. 3, line 32, fig. 2), and an input device (Lobiondo '194 does not teach the image data is come from scanner 35 of col. 6, line 1, it would have been obvious to a person with ordinary skill in the art to instruct the printer to print the image from the scanner to fully utilizing the system of Lobiondo '194) which inputs the image data;

a communication controller (the print server 60, col. 3, line 41), which can communicate with each of the plurality of devices (fig. 1), and, when the communication controller receives a command transmitted from any one of the plurality of devices (i.e., the print server 60 or at various local workstations 30 within the network for analyzing the information relating to the job; see col. 3, lines 43-45), based on the received command (i.e., print job command; see col. 3, lines 50-65), selects at least one device as a transmission destination from the plurality of devices except a transmission source of the received command (col. 4, lines 50-65), and transmits the received command to the selected device (i.e., scheduling the printing of print jobs at one or more of the printers 10 to obtain an efficient use of all available resources; see col. 3, lines 48-50).

Regarding claim 7, Lobiondo '194 discloses the image forming system, wherein the communication controller (the print server 60, col. 3, line 41) comprises a memory (i.e., the information, which contains criteria for printing the job, can be sent to and temporarily stored in a buffer, RAM or other storage

means located within a print server 60; see col. 3, lines 37-40) in which relation information (i.e., the scheduler 50, a database can include one or more files having information relating to the print job and the resources on the network; see col. 3, lines 65-68, fig. 3) between the type of the command and a device serving as a transmission destination is stored (an input data file in memory, col. 3, line 60),

selects a device relating to the received command based on the relation information (i.e., the database can include a printer file which can be located in memory containing information relating to each printer; see col. 3, line 68 and col. 4, lines 1-2).

Regarding claim 8, Lobiondo '194 discloses the image forming system (fig. 1), wherein the communication controller is arranged in the image forming device (i.e., the reprographic machine 30 generally includes a scanner section 35, a **controller section 45**, and a printer section 55; see col. 5, line 68 and col. 6, lines 1-2, fig. 2).

Regarding claim 9, Lobiondo '194 discloses a communication control device (the print server 60, col. 3, line 41) included in the image forming system (fig. 1), the communication control device comprising:

a plurality of communication controllers (communication channels of communication link 20, fig. 1) corresponding to each of a plurality of devices (i.e., the network can be a LAN and may comprise one or more modems 25 which

interconnect the printers 10 across communication channels of communication link 20, and the workstations 30 can be a PC computer system; see col. 3, lines 20-30) included in the image forming system (fig. 1);

a controller (user, col. 2, line 33), which performs control so that when a command is transmitted from any one of the plurality of devices through the communication controller corresponding to the selected devices (i.e., a user at any local area within the network to control printing of a job at a plurality of user determined locations; see col. 2, lines 33-35), at least one device is selected as a transmission destination from the plurality of devices except a transmission source of the received command (i.e., the user may then enter through the user interface a request to utilize a different printer; see col. 5, lines 27-28), and control is performed such that the received command is transmitted to the selected device through the communication controller corresponding to the selected device (i.e., enter a required completion time and have the scheduler 50 allocate the job to one or more available printers, or choose the selected full print queue if printing is desired at the specific location selected; see col. 5, lines 29-32),

wherein the plurality of devices includes at least an image forming device (remote printers 10, col. 2, line 23, fig. 1)that forms an image based on image data, a control device (workstations 30, col. 3, line 27, fig. 1) that controls an operation of the image forming device based on an instruction input through a user interface (the User Interface 40 shown in fig. 2), and an input device that inputs the image data (Lobiondo '194 does not teach the image data is come

from scanner 35 of col. 6, line 1, it would have been obvious to a person with ordinary skill in the art to instruct the printer to print the image from the scanner to fully utilizing the system of Lobiondo '194) which inputs the image data.

Regarding claim 10, Lobiondo '194 discloses the communication control device (the print server 60, col. 3, line 41), further comprising a memory (i.e., the information, which contains criteria for printing the job, can be sent to and temporarily stored in a buffer, RAM or other storage means located within a print server 60; see col. 3, lines 37-40) in which relation information (i.e., the scheduler 50, a database can include one or more files having information relating to the print job and the resources on the network; see col. 3, lines 65-68, fig. 3) between the type of the command and a device serving as a transmission destination is stored (an input data file in memory, col. 3, line 60),

wherein a device related to the received command is selected based on the relation information (i.e., the database can include a printer file which can be located in memory containing information relating to each printer; see col. 3, line 68 and col. 4, lines 1-2).

Regarding claim 11, Lobiondo '194 discloses the communication control device (the print server 60, col. 3, line 41), wherein the communication control device is arranged in the image forming device (i.e., the reprographic machine 30 generally includes a scanner section 35, a **controller section 45**, and a printer section 55; see col. 5, line 68 and col. 6, lines 1-2, fig. 2).

Regarding claims 12-15 are method claims of apparatus claims 1-4. Therefore, claims 12-15 are rejected with the same reason given in claims 1-4 respectively.

5. Claims 3-5, 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lobiondo (US 5,287,194). and further in view of well known prior art.

Regarding claims 3-4, Lobiondo '194 discloses the image forming system (fig. 1), wherein the communication controller (the print server 60, col. 3, line 41):

selects the image forming device (remote printers 10, col. 2, line 23, fig. 1) as a transmission destination when the received command is a command from the control device (workstations 30, col. 3, line 27, fig. 1) which requests a diagnosis of the state of the image forming device (i.e., the scheduler 50 can establish communication between a user and the system to request entering of criteria; see col. 6, lines 16-18),

Lobiondo differs from the claim 3, in that he does not explicitly teach which requests a diagnosis of the state of the image forming device and provides notification of the state of the image forming device as a result of the diagnosis.

However, it is well known in the art to: requests a diagnosis of the state of the image forming device and provides notification of the state of the image forming device as a result of the diagnosis (official notice).

Therefore, it would have been obvious to a person with ordinary skill in the art at the time the invention was made to have modified Lobiondo to include:

requests a diagnosis of the state of the image forming device and provides notification of the state of the image forming device as a result of the diagnosis .

It would have been obvious to one of ordinary skill in the art because the user would know how and when the machine is broken and can fix the problem.

Regarding claims 5, 16, Lobiondo '194 does not disclose wherein the communication controller selects a device which performs at least some of processes for performing image control to adjust an image formed by the image forming device as a transmission destination when the received command is a command from the image forming device which provides information on the formed image.

However it is well known in the art to: wherein the communication controller selects a device which performs at least some of processes for performing image control to adjust an image formed by the image forming device as a transmission destination when the received command is a command from the image forming device which provides information on the formed image (official notice).

Therefore, it would have been obvious to a person with ordinary skill in the art at the time the invention was made to have modified Lobiondo to include: wherein the communication controller selects a device which performs at least some of processes for performing image control to adjust an image formed by the image forming device as a transmission destination when the received

command is a command from the image forming device which provides information on the formed image.

It would have been obvious to a person with ordinary skill in the art at the time the invention was made to have modified Lobiondo because it allows the user to adjust the printer remotely.

6. Claims 2, 6, 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lobiondo (US 5,287,194) in view of Akiyama et al. (US 5,594,653).

Regarding claim 2, Lobiondo '194 discloses the image forming system, wherein the communication controller (the print server 60, col. 3, line 41) selects the control device (workstations 30, col. 3, line 27, fig. 1) and the input device (scanner 35 of col. 6, line 1) as transmission destinations,

Lobiondo does not teach the image forming system, when the received command is a command from the image forming device which requests the image data to be transferred in response to the time the image is formed.

However, Akiyama teaches the image forming system, select the input device when the received command is a command from the image forming device which requests the image data to be transferred in response to the time the image is formed (col. 16, lines 60-67 and col. 17, lines 1-5).

Therefore, it would have been obvious to a person with ordinary skill in the art at the time the invention was made to have modified Lobiondo to include: the image forming system, select the input device when the received command is a

command from the image forming device which requests the image data to be transferred in response to the time the image is formed.

It would have been obvious to a person with ordinary skill in the art at the time the invention was made to have modified Lobiondo because: It relates to a printing apparatus connected to a host computer for printing according to commands from the host computer (see Akiyama, col. 1, lines 1-5).

Regarding claim 6, Lobiondo '194 does not teach, wherein the communication controller selects any one of the control device and the input device as a transmission destination when the received command is a command from the image forming device which provides notification that the image data and the formed image match with each other, and selects both the control device and the input device as transmission destinations when the received command is a command from the image forming device, which provides notification that the image data and the formed image do not match with each other.

However, Akiyama teaches to send a command from a printer to an image input device to request for data when the formed image with each other (col. 16, lines 60-67, col. 17, lines 1-5) and send a command from the printer to both the input device (to stop the input device from sending data) and the user (control device, to notify user about the error) when the formed image does not match with each other (107 and 110, fig. 10; col. 15, lines 30-40)

Therefore, it would have been obvious to a person with ordinary skill in the art at the time the invention was made to have modified Lobiondo to include:

wherein the communication controller selects any one of the control device and the input device as a transmission destination when the received command is a command from the image forming device which provides notification that the image data and the formed image match with each other, and selects both the control device and the input device as transmission destinations when the received command is a command from the image forming device, which provides notification that the image data and the formed image do not match with each other.

It would have been obvious to a person with ordinary skill in the art at the time the invention was made to have modified Lobiondo because: It will notify the user that there is a printing error and at the same time prevent the input device to continue to send data can not be printed to prevent loss of resources.

Regarding claim 17 is method claim of apparatus claim 6. Therefore, claim 17 is rejected with the same reason given in claim 6 respectively.

Conclusion

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Kohtani et al. (US 7,006,239) discloses image forming apparatus with manual inhibiting of plural image retention forming mode and control method therefor.

Czyszczewski et al. (US 2003/0081742) discloses user recognition support for multifunction office device.

Vergnaud et al. (US 4,984,234) discloses time-division switching system.

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Allen H. Nguyen whose telephone number is 571-270-1229. The examiner can normally be reached on M-F from 9:00 AM-6:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, King Poon can be reached on (571)-272-7440. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

08/03/07

KING Y. POON
~~PRIMARY~~ EXAMINER
Supervisory Patent